GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:2923
ANSWERED ON:12.12.2006
DISMISSAL OF OFFICIALS OF DELHI TRADE AND TAX DEPARTMENT
Jha Shri Raghunath

Will the Minister of HOME AFFAIRS be pleased to state:

(a) Whether the Government of NCT of Delhi has dismissed 31 officials of Delhi Trade & Tax Department without holding any inquiry or issuing any charge sheet to them ;

(b) If so, the reasons for discriminating those employees;

(c) The criteria adopted by the Government for proceeding against public servants involved in corruption cases; and

(d) Whether such criteria was adopted in the case of those 31 officials;

(e) If so, the details thereof; and

(f) If not, the reasons therefor and the effective steps taken in this regard ?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. REGUPATHY)

(a) : 29 officers of Delhi Trade and Taxes Department were dismissed after dispensing with the requirement of holding any inquiry or issuing any charge sheet to them in terms of the provisions contained in clause (b) of second proviso to Article 311 (2) of the Constitution of India, read with Rule 19
(ii) of the Central Civil Services

(Classification, Control & Appeal) Rules, 1965.

(b) to (f): Public servants involved in corruption cases are ordinarily placed under suspension pending investigation of these case and, on completion of the investigation by the investigating agency, charge sheets are filed in appropriate courts of law for trial. These officers are also ordinarily proceeded against departmentally in accordance with the provisions contained in CCS (CC&A) Rules, 1965 or relevant rules governing their service conditions. In case, it is found that it is not reasonably practical to hold inquiry against the accused in accordance with the provisions contained in the CSS (CCA), 1965 or similar rules governing their service conditions, action is taken against them by invoking the powers conferred by clause (b) of second proviso to Article 311 (2) of the Constitution of India read with Rule 19
(ii) of the CCS (CC&A) Rules, 1965 or similar rules governing their service conditions. Since it was not found reasonably practical to conduct inquiries against the aforesaid officers of Delhi Trade and Taxes Department in accordance with the prescribed procedure, action against them was taken in terms of clause (b) of second proviso to Article 311 (2) of the Constitution of India read with Rule 19
(ii) of the CCS (CC&A) Rules, 1965.